

REMARKS

This Request for Reconsideration is filed in response to the Final Office Action of September 9, 2009 in which claims 1-10 and 12-21 were finally rejected.

The examiner now considers the independent claims to be rendered obvious when combining the teachings of the following four documents:

- McConnell (US 6,061,019)
- Richards (US 2002/0061080)
- Thomas (US 7,010,270)
- Suzuki (US 2003/0063597)

A

First of all, it is contested in general that a person of ordinary skill would combine the teachings of such a large number of documents without inventive considerations. This is particularly the case with the present application, where the citing of a large number of references is not merely due to insignificant details of the subject matter of the claims.

Further, in the present case a person of ordinary skill would lack any incentive to select and combine exactly those features of the cited references pointed out by the examiner, and in such a way that would result in the teachings of claim 1. In particular, it would not simply be a question of substituting or supplementing some features of McConnell with features of the other cited references to obtain the approach of claim 1; rather the features of the cited references would appear to a person of ordinary skill not to fit together in a sensible manner.

B

The examiner considers the following feature to be rendered obvious by Richards, referring to paragraphs [0218] and [0303] of Richards:

*"determine a timing pattern for detected interfering signals based on a timing information provided by said communication system transceiver, which timing*

*information is indicative of timing for transmissions employed by said communication system transceiver"*

Paragraph [0218] of Richards, referring to Figure 7, does not relate to interfering signals. It only presents a regular receiver which aims at realizing a locked loop so that the timing of a sampling pulse train matches the timing of a received signal pulse train. Paragraph [0218] further describes a processing that is confined completely to a receiver 702. It is noted that the code for receiving a given signal is the same code utilized by the originating transmitter 602. However, there is no indication that this code is received from this transmitter and much less from a transceiver that is included in the same device as the receiver. It is indicated in paragraph [0220] that if the receiver belongs to a transceiver, some components may be shared. However, even in this case, there is no transceiver in addition to the receiver. Much less is there such an additional transceiver that provides timing information that is used in determining a timing pattern for detected interfering signals.

Richards does deal with interference at other places. It suggests sampling a received signal to produce both a nulling sample and a data sample, spaced in time from one another by a time interval equal to an integer multiple of  $t_0$ . The nulling sample and the data sample are then combined to cancel interference energy from the data sample. (paragraph [0260])  $f_0=1/2 t_0$  is the predictable interference frequency. (paragraph [0259]) Information on the frequency of the interference is indicated to be the only information that is required, and this information is considered to be known (i.e. stored in a memory 1666), and not to be provided by any transceiver. (see paragraphs [0392], [0422], [0423])

A receiver taking into account interference is described with reference to Figure 23 (starting with paragraph [0400]). Also the description of this Figure does not include any indication of a timing pattern for detected interference being determined based on timing information provided by a transceiver and much less by an additional transceiver that belongs to the same device as the receiver.

Cited paragraph [0303] relates to a special case of two interfering sources. It does not provide any indication of a timing pattern being determined based on timing information provided by an additional transceiver that belongs to the same device as the receiver.

C

A "timing pattern" for detected interference determined in Richards (if such can be considered to be disclosed at all) cannot possibly be combined with the manipulation of signals suggested by Thomas.

Thomas suggests modifying the operation mode of a subunit when a second subunit is transmitting output signals (col. 6, lines 10-18). It thus requires information at which time interference occurs.

The time of interference is not a question at all in Richards. In Richards it is rather assumed that there is a continuous interference of a known periodicity (see e.g. paragraph [0244]). It is determined at which time interference has the same amount as at the time of a sample including data and interference, so that an adding or subtracting will result in the pure data sample (Richards: paragraph [0260]). Such a "time pattern" cannot be of any use in the approach of Thomas.

Thus, both approaches would not be considered combinable by a skilled person.

D

The examiner considers the following feature to be rendered obvious by Suzuki:

*"interfering signals originating from a transmitter external to said device, which transmitter employs a same timing for transmissions as said communication system transceiver of said device"*

Cited paragraph [0102] of Suzuki mentions that "when both of the terminal station-C 607 and the terminal station-E 609 perform wireless transmission at the same time, both terminals stations 607 and 609 are located at positions where wireless transmission signals of either of them give nonnegligible interference to wireless transmission signals of the other terminal station."

Terminal stations 607 and 609, however, belong to two networks X, Y, which are operated independently from each other and are operated in an uncoordinated state to each other (par. [0103]).

- a) Thus, Suzuki does not disclose two transmitters employing the same timing for transmissions, but only two transmitters in terminals 607 and 609 that may happen by coincidence to transmit at the same time. Consequently, it is effectively not possible to determine a timing pattern based on information provided by one of the transmitters for reducing the interference caused by the other transmitter, as required by claim 1.
- b) The device at which the interference is received in the system of Suzuki is not one of the terminals 607 and 609 (which are apparently assumed by the examiner to comprise transceiver and external transmitter of claim 1), but rather base station 603 or 604. Thus, the presences of two transmitters which may happen to transmit at the same time are not suited to disclose a transmitter external to a device comprising transceiver and receiver, as required by claim 1.

Thus, the transmitter of one of terminals 607 and 609 cannot possibly be considered to correspond to the external transmitter mentioned in claim 1 and an ordinarily skilled person would not see how to combine the teachings of Suzuki with the teachings of any of the other references.

On the whole, it becomes apparent that claim 1 is neither anticipated nor rendered obvious by the cited references.

The same applies to the **other independent claims**, which comprise corresponding features, and consequently to the **dependent claims** as well for at least the same reasons.

Reconsideration of the newly asserted obviousness rejection of September 9, 2009 is requested.

The objections and rejections of the Office Action of September 9, 2009, having been obviated by amendment or shown to be inapplicable, withdrawal thereof is requested and passage of claims 1-10 and 12-21 to issue is earnestly solicited.

Respectfully submitted,

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